



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

09/378,669

08/20/1999

SHU LIN

RCA.89417

9410

7590

09/22/2005

JOSEPH S TRIPOLI
PATENT OPERATIONS-THOMSON MULTIMEDIA
LICENSING INC
PO BOX 5312
PRINCENTON, NJ 085435312

EXAMINER

FLETCHER, JAMES A

ART UNIT

PAPER NUMBER

2616

DATE MAILED: 09/22/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/378,669

Applicant(s)

LIN ET AL.

Examiner

James A. Fletcher

Art Unit

2616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 10 September 2004.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☒ Interview Summary (PTO-413)
~~Paper No(s)/Mail Date~~ _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Objections

1. Claim 1 recites the limitation "said second data format" in line 11. There is insufficient antecedent basis for this limitation in the claim. The claim will be analyzed and discussed as though the claim read --a second data format--.
2. Claim 1 recites the limitation "said data format conversion" in line 12. There is insufficient antecedent basis for this limitation in the claim. The claim will be analyzed and discussed as though a data format conversion of navigation data were disclosed.
3. Claim 2 recites the limitation "said derived parameters" in line 1. There is insufficient antecedent basis for this limitation in the claim. The claim will be analyzed and discussed as though the claim read --said determined parameters--.
4. Claim 3 recites the limitation "said derived parameters" in line 2. There is insufficient antecedent basis for this limitation in the claim. The claim will be analyzed and discussed as though the claim read --said determined parameters--.
5. Claim 13 is objected to because of the following informalities: The claim recites the language: "A method according to claim 6..." The examiner believes the claim should read --A method according to claim 11-- because the claim appears in a sequence of dependent claims that logically depend on claim 11, and if the claim depended on claim 6, it would have insufficient antecedent basis for the recited said first and said second data formats. Appropriate correction is required.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 1-12 and 14-20 are rejected under 35 U.S.C. 102(b) as being anticipated by Horiguchi et al (6,370,322).

Regarding claims 1 and 10, Horiguchi meets the limitations of claim 1, limitations 1-4, and claim 10 in Col 4, lines 16-20.

Limitation 5, which contains the term “at least one of...” only requires one of the elements to be met in each of the two lists provided. Horiguchi discloses conversion of the navigation data into different navigation data as disclosed in Col 4, lines 16-17, and further defined in Col 4, lines 7-9.

Regarding claim 2, the term, “at least one of...” in the claim only requires one of the elements to be met. Horiguchi discloses the conversion of navigation packs (Col 4, lines 7-9), and discloses that a parameter identifying size of image representative data can be data in the pack in Column 7, lines 55-59.

Regarding claim 3, the term “at least one of...” in the claim only requires one of the elements to be met. Horiguchi meets the limitation (d) in Fig. 14, which discloses that a system parameter can describe a title number. The Examiner notes that the term “a program” under element (d) is sufficiently broad to be met by the cited reference.

Regarding claims 4 and 5, the claims are addressed to further limiting claim 3, part (e). Claim 3 was anticipated through a teaching of part (d). Taken in their totality, claims 5 and 5 are still met with the teaching of claim 3, part (d).

Regarding claim 6, Horiguchi meets the limitation of incorporating determined parameters in a previously blank area of the pre-formed navigation data field as illustrated in Fig.15, particularly "to use padding area...for SPRM transmission."

Regarding claims 7-9, Horiguchi discloses a packet with headers describing the contents of the packets, and payloads in those packets include the determined parameters.

Regarding claims 11-12 and 14, Horiguchi meets the limitations of claims 11-12 and 14 in Col. 4, lines 17-22.

Regarding claim 15, please see examiner's comments regarding claim 2.

Regarding claim 16, please see examiner's comments regarding claim 3.

Regarding claim 17, please see examiner's comments regarding claim 4.

Regarding claim 18, please see examiner's comments regarding claim 5.

Regarding claim 19, please see examiner's comments regarding claim 7.

Regarding claim 20, please see examiner's comments regarding claim 8.

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claim 13 is rejected under 35 U.S.C. 103(a) as being unpatentable over Horiguchi as applied to claims above, and further in view of Maruyama et al (6,385,389).

Regarding claim 13, Horiguchi discloses that his first data format is read only (Col 3, line 27 "DVD player"), and suggests a second data format that is recordable (Fig. 1 shows an analog output, which is known to be recordable), but does not specifically disclose recording the IEEE1394 data.

Maruyama teaches a second recordable data format that is recordable (Col 2, lines 34-38).

As suggested by Horiguchi and taught by Maruyama, recording a transport stream is a well known and widely used method of recording a video program, providing the user with high quality and easy user interface.

Therefore it would have been obvious to one of ordinary skill in the art at the time of the invention to modify Horiguchi to include recording of the transport stream.

Conclusion


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2616

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JAF
9 September 2005


James J. Groody
Supervisory Patent Examiner
Art Unit 2616-2616